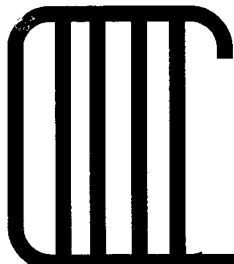


12 CV 8581

MA



Illinois
Department of
Corrections

FILED

OCT 24 2013

THOMAS G BRUTON
CLERK, U.S. DISTRICT COURT

Pat Quinn
Governor

S. A. Godinez
Director

Vandalia Correctional Center
Route 51 North, P.O. Box 500
Vandalia, IL 62471

Telephone: (618) 283-4170
TDD: (800) 526-0844

October 22, 2013

Clerk, U.S. District Court
219 S. Dearborn Street
Chicago, IL 60604

RE: Timothy James Thomas
Case # 12 C 8581 and 12 C 2489

Please be advised that on October 2, 2013 Timothy Thomas was released from custody at the Vandalia Correctional Center.

Our records indicate that he still has a balance due on the above mentioned court case (see attached).

He left a forwarding address of:

2209 Emerson Street
#847
Evanston, IL 60201

Please contact me if I can be of further assistance.

Sincerely,

Melinda Winters
Trust Office Officer
Ext. 157

Date: 10/9/2013

Time: 2:35pm

d_list_furlough_restitution

Vandalia Correctional Center

Trust Fund

Furlough/Restitution Report

REPORT CRITERIA - Inmate: B50368;
Restitution Type: All Types;New page for each inmate ? : No; Include Zero Balances ? : Yes; Furlough /
Report Type: Detail Line; Sort Order: Inmate Number; Status: All

Inmate	ID#	Vendor	Transaction Type	Date	Amount	Balance
B50368 Thomas, Timothy J.		Released				
Housing Unit: VAN-L -02-52	1079	652 Clerk, U.S. District Court	73 Court Ordered Fees	05/15/2012	343.40	.00
Detailed History:			1 Beginning Balance	05/15/2012	343.40	343.40
			3 Payment	06/15/2012	2.00	341.40
			3 Payment	07/06/2012	2.00	339.40
			3 Payment	08/13/2012	2.47	336.93
			3 Payment	09/13/2012	2.88	334.05
			3 Payment	10/11/2012	2.88	331.17
			3 Payment	11/16/2012	2.88	328.29
			3 Payment	12/10/2012	2.88	325.41
			3 Payment	01/11/2013	2.88	322.53
			3 Payment	02/15/2013	3.00	319.53
			3 Payment	03/14/2013	3.00	316.53
			3 Payment	04/12/2013	3.00	313.53
			3 Payment	05/14/2013	3.00	310.53
			3 Payment	06/14/2013	3.00	307.53
			3 Payment	07/09/2013	2.11	305.42
			3 Payment	08/14/2013	1.14	304.28
			3 Payment	09/13/2013	2.50	301.78
			3 Payment	10/01/2013	2.00	299.78
			3 Payment	10/01/2013	.14	299.64
			5 Closed Out	10/09/2013	299.64	.00

Payment Instructions: 20.00 % with 0.00 minimum balance. partial filing fee of \$6.60 paid

B50368 Thomas, Timothy J.		Released				
Housing Unit: VAN-L -02-52	1104	394 Clerk Of District Court	73 Court Ordered Fees	12/17/2012	335.70	.00
Detailed History:			1 Beginning Balance	12/17/2012	335.70	335.70
			3 Payment	01/11/2013	2.88	332.82
			3 Payment	02/15/2013	3.00	329.82
			3 Payment	03/14/2013	3.00	326.82
			3 Payment	04/12/2013	3.00	323.82
			3 Payment	05/14/2013	3.00	320.82
			3 Payment	06/14/2013	3.00	317.82
			3 Payment	07/09/2013	2.11	315.71
			3 Payment	08/14/2013	1.14	314.57
			3 Payment	09/13/2013	2.50	312.07
			3 Payment	10/01/2013	2.00	310.07
			3 Payment	10/01/2013	.14	309.93
			5 Closed Out	10/09/2013	309.93	.00

Payment Instructions: 20.00 % with 0.00 minimum balance.

Total Court Ordered Fees	.00
Total All	.00

Date: 10/9/2013

Time: 2:35pm

d_entry_ap_transaction_print

Vandalia Correctional Center

Trust Fund

Delete/Inquire Inmate Invoices

ID	Vendor	Invoice Date	Number	Amount	Due Date	Received Date	
			G/L Account				G/L Amount
<u>Deleted</u>	321002 394 Clerk Of District Court	12/17/2012	0001104	309.93	12/17/2012	12/17/2012	
	Description: Court Ordered Fees - #12 C 8581						
	Inmate: B50368 Thomas, Timothy J.						
			5050-001 Court Ordered Fees				309.93

G/L Entry

Applied Date:	10/09/2013	Fiscal Month:	201404 OCT	User:	38	ID:	48560
Reference:	282538						
Description:	Delete Invoice 0001104 Clerk Of District Court						
Account							
2010-001 Accounts Payable						Debit	Credit
5050-001 Court Ordered Fees						309.93	
							309.93
			Totals			309.93	309.93

Date: 10/9/2013

Time: 2:35pm

d_entry_ap_transaction_print

Vandalia Correctional Center

Trust Fund

Delete/Inquire Inmate Invoices

ID	Vendor	Invoice Date	Number	Amount	Due Date	Received Date	G/L Amount
			G/L Account				
<u>Deleted</u>	314351 652 Clerk, U.S. District Court	05/15/2012	12C2489	299.64	05/15/2012	05/15/2012	
	Description: 12C2489						
	Inmate: B50368 Thomas, Timothy J.						
			5050-001 Court Ordered Fees				299.64

G/L Entry

Applied Date:	10/09/2013	Fiscal Month:	201404 OCT	User:	38	ID:	48559
Reference:	282538						
Description:	Delete Invoice 12C2489 Clerk, U.S. District Court						
Account							
	2010-001 Accounts Payable					Debit	Credit
	5050-001 Court Ordered Fees					299.64	
							299.64
				Totals		299.64	299.64

Date: 12/17/2012

Time: 10:19am

d_entry_tr_furlough_hdr_print

Vandalia Correctional Center

Trust Fund

Post Furlough/Restitution

Date: 12/17/2012

Inmate: B50368 Thomas, Timothy J.

Code: 73 Court Ordered Fees

Vendor: 394 Clerk Of District Court

Invoice Number: 0001104

Invoice Date: 12/17/2012

Invoice Description: Court Ordered Fees - #12 C 8581

Payment Due Date: 12/17/2012

Beginning Amount: 335.70

Payment Plan

Payroll percentage: 20.00%

Reserve Balance: \$.00

Instructions:

GL Entry

Applied Date:	12/17/2012	Fiscal Month:	201306 DEC	User:	38	ID:	43169
Reference:	352438						
Description:	Furloughs/Restitutions						
Account		Debit		Credit			
5050-001 Court Ordered Fees		335.70					
2010-001 Accounts Payable				335.70			
Totals		335.70		335.70			

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	John Z. Lee	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	12 C 8581	DATE	11/27/12
CASE TITLE	Timothy James Thomas (B-50368) vs. Pillsbury, et al.		

DOCKET ENTRY TEXT

Plaintiff's motion for leave to proceed *in forma pauperis* [3] is granted. The Court authorizes and orders Vandalia Correctional Center officials to deduct \$14.30 from Plaintiff's account, and to continue making monthly deductions in accordance with this order. The Clerk shall send a copy of this order to the trust fund officer at the Vandalia Correctional Center. However, summonses shall not issue at this time. The complaint on file is dismissed without prejudice. Plaintiff is granted thirty days to submit an amended complaint. The Clerk is directed to send Plaintiff an amended civil rights complaint form with instructions and a copy of this order. Plaintiff's failure to fully comply with this order will result in dismissal of this matter in its entirety.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Plaintiff, Timothy James Thomas, a prisoner at Vandalia Correctional Center, brings this *pro se* civil rights action pursuant to 42 U.S.C. § 1983.

Because Plaintiff has shown that he is indigent, his motion for leave to proceed *in forma pauperis* is granted. Pursuant to 28 U.S.C. § 1915(b)(1), Plaintiff is assessed an initial partial filing fee of \$14.30. The trust fund officer at Plaintiff's place of incarceration is authorized and ordered to collect the partial filing fee from Plaintiff's trust fund account and pay it directly to the Clerk of Court. After payment of the initial partial filing fee, the trust fund officer at Plaintiff's place of confinement is directed to collect monthly payments from Plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from Plaintiff's trust fund account shall be forwarded to the Clerk of Court each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Plaintiff's name and this case number. This payment obligation will follow Plaintiff in the event of this transfer to any other correctional facility.

Under 28 U.S.C. § 1915A, the Court is required to conduct a prompt initial review of prisoner complaints against governmental entities or employees.

Plaintiff alleges that he appeared in state court on a criminal matter with his public defender in October 2010. Plaintiff appeared again in state court with his public defender on November 4, 2010. At the November 4, 2010 court hearing, Plaintiff asked the state judge to speak with someone about filing charges against the "so-called" victim in his then-pending state criminal proceeding. The state judge told Plaintiff he would be able to speak with someone at the next court date, November 10, 2010. Plaintiff was then taken back to lock-up to await transport back to Cook County Jail. While waiting, Plaintiff was taken to a room with Michael Schaffer from the Cook County Sheriff's Office and Assistant State's Attorney Amanda Pillsbury. Pillsbury told Plaintiff she was there to take his "complaint" and that she "had nothing to do with [his] case" and "she was not the prosecutor on [his] case." Plaintiff alleges that he was not "given his rights" and that his state-criminal counsel was not given notice of the meeting. Plaintiff alleges that the purpose of the meeting was to seek information from him to upgrade the state charges against him from a misdemeanor to a felony. Plaintiff did provide a statement in which he incriminated himself by telling Pillsbury that he struck the "so-called" victim.

Plaintiff first alleges that his constitutional rights were violated because Schaffer would not allow him to press charges against the "victim." Plaintiff has no constitutional right to see the "victim" punished for her actions with

Date: 5/15/2012

Time: 2:22pm

d_entry_tr_furlough_hdr_print

Vandalia Correctional Center

Trust Fund

Post Furlough/Restitution

Date: 05/15/2012

Inmate: B50368 Thomas, Timothy J.

Code: 73 Court Ordered Fees

Vendor: 652 Clerk, U.S. District Court

Invoice Number: 12C2489

Invoice Date: 05/15/2012

Invoice Description: 12C2489

Payment Due Date: 05/15/2012

Beginning Amount: 343.40

Payment Plan

Payroll percentage: 20.00%

Reserve Balance: \$.00

Instructions:

partial filing fee of \$6.60 paid

GL Entry

Applied Date: 05/15/2012 Fiscal Month: 201211 MAY User: 106 ID: 7243

Reference: 1364106

Description: Furloughs/Restitutions

Account		Debit	Credit
5050-001	Court Ordered Fees	343.40	
2010-001	Accounts Payable		343.40
Totals		343.40	343.40

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Robert M. Dow, Jr.	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	12 C 2489	DATE	5/8/12
CASE TITLE	Timothy James Thomas (#2010-1020192) vs. Cook County, et al.		

DOCKET ENTRY TEXT

The Court grants Plaintiff's motion for leave to file *in forma pauperis* [3]. Trust fund officials at Plaintiff's place of confinement are authorized to make deductions from his account in accordance with this order. The Clerk shall mail a copy of this order to the trust fund officer at the Cook County Jail. Plaintiff's complaint is dismissed without prejudice to him submitting an amended complaint in accordance with this order within 30 days of the date of this order. The Clerk shall send Plaintiff an amended civil rights complaint form, along with a copy of this order. Plaintiff's failure to comply with this order will result in summary dismissal of this case. His motion for the appointment of counsel [4] is denied without prejudice.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Plaintiff Timothy James Thomas, incarcerated at the Cook County Jail, has filed this 42 U.S.C. § 1983 action naming the following parties as Defendants: Cook County, Cook County Jail Superintendent Bratlin, Sergeant Wiggins, Sergeant Crump, and Director Mareesi. Plaintiff states that inmates in the mental health division of the jail were placed on lockdown for no reason for two days in February 2012, that he was wrongly disciplined for either flooding or causing other damage to his cell, but that he was not allowed to call witnesses at his hearing. Plaintiff seeks to file his complaint *in forma pauperis* and requests appointment of counsel.

Plaintiff's motion to proceed *in forma pauperis* indicates that he is unable to pre-pay the \$350 filing fee. The Court grants his motion and assesses an initial partial filing fee of \$6.60. See 28 U.S.C. § 1915(b)(1). The supervisor of inmate trust accounts at Plaintiff's place of confinement is authorized to deduct the initial partial filing fee from Plaintiff's trust fund account and send it to the Court. Thereafter, the trust fund officer shall collect monthly payments from Plaintiff's account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from Plaintiff's account shall be forwarded to the Clerk of Court each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, IL 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Plaintiff's name and the case number of this suit. Plaintiff shall remain responsible for the filing fee, and Cook County Jail authorities shall notify transferee authorities of any outstanding balance in the event Plaintiff is transferred to another facility.

Although Plaintiff may proceed *in forma pauperis*, his complaint cannot proceed. First, Plaintiff alleges several unrelated claims, and the complaint does not indicate that the same Defendants were involved for the claims. Plaintiff may bring unrelated claims against the same Defendant, but "[u]nrelated claims against different defendants belong in different suits." *George v. Smith*, 507 F.3d 605, 607-08 (7th Cir. 2007). Plaintiff's allegations, as described above, assert unrelated claims about an unjustified lockdown and a lack of procedures with a disciplinary proceedings. The claims neither appear related nor do they appear to involve the same Defendants. Second, Plaintiff fails to state how each Defendant was involved. Under the notice pleading requirement of Fed. R. Civ. P. 8(a)(2), Plaintiff must "give the defendant fair notice of what the * * * claim is and the grounds upon which it rests." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Even under a liberal

STATEMENT

construction, the Court cannot tell which Defendant is being named for which claim. Lastly, Plaintiff's allegations about being subjected to a two-day unjustified lockdown do not state a valid § 1983 claim. Lockdowns, by themselves, do not give rise to a constitutional claim, given that, as a general rule, inmates have no constitutional right to remain in general population. *Thomas v. Ramos*, 130 F.3d 754, 760, 764-65 (7th Cir. 1997) (although excessively long lockdowns preventing an inmate from exercising may rise to level of a constitutional issue, lockdown of 30 days did not rise to such a level).

For the reasons stated above, the Court dismisses the complaint without prejudice. To proceed with this case, Plaintiff must submit an amended complaint that asserts only related claims which involve a constitutional violation that will support a § 1983 suit. Plaintiff is given 30 days from the date of this order to submit such an amended complaint. Plaintiff is advised that an amended complaint replaces a previously filed complaint and must stand complete on its own. The Court will refer only to the amended complaint, and not to prior complaints, to determine the claims and Defendants in this case. Plaintiff must write both the case number and the judge's name on the amended complaint and return the originally filled out and signed form, along with a copy for the judge and a service copy for each named Defendant, to the Prisoner Correspondent. Plaintiff is advised to keep a copy for his files. Plaintiff may request additional copies of an amended complaint form if needed to provide the Court with a sufficient number of copies. Plaintiff's failure to comply with this order will result in summary dismissal of this case.

Plaintiff's motion for the appointment of counsel is denied without prejudice. Neither the issues nor the discovery in this case are complex, and he appears to be competent to represent himself at this stage of the proceedings. Counsel is not warranted at this time. See *Romanelli v. Suliene*, 615 F.3d 847, 851 (7th Cir. 2010); *Pruitt v. Mote*, 503 F.3d 647, 656-59 (7th Cir. 2007).

Date: 5/15/2012

Time: 2:20pm

d_entry_tr_disbursement_print

Vandalia Correctional Center
Trust Fund

Post Disbursements / Restrictions

Inmate	Form #	Check Payable To	Description	Amount
B50368 Thomas, Timothy J.	05152012	8729 United States District Court	case#12C2489	6.60
G/L Recap				Total: 6.60

Applied Date: 05/15/2012 Fiscal Month: 201211 MAY User: 106 ID: 7241
Reference: 1363106

Description: Disbursements

Account	Debit	Credit
5200-001 Outside Purchases And Payments		
2100-001 Due To Inmates	6.60	
3990-001 Income & Expense Summary	6.60	
2010-001 Accounts Payable		6.60
Totals	13.20	13.20